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January 12, 2012

Via Facsimile (973-645-3177) & Regular Mail

Theresa Trivino, Senior Court Deputy to the
Hon. Stanley R. Chesler, U.S.D.J.
Martin Luther King, Jr. Federal
Building and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07171

Re: **U.S. v. Arena, Caivano**
CRIMINAL ACTION NO.: 10-579(SRC)

Dear Judge Chesler:

I represent David Caivano in this matter. I am respectfully requesting leave of Court to file pretrial motions in this matter on January 20, 2012. Pursuant to the most recent Order of Judge Chesler, the motions are to be filed by January 16, 2012. I am requesting additional time in order to review the discovery served by the Government by letter dated January 12, 2012. I make this request with the consent of AUSA Anthony Moscato and Nicholas Kaizer, Esq., counsel to defendant Arena.

Thank you for your consideration.

Respectfully,



David T. Shivas

I hereby consent to the request made by counsel in this letter.



Anthony Moscato, Jr., Esq.
Assistant U.S. Attorney

Nicholas Kaizer, Esq.
Counsel to Steven Arena

cc: Assistant U.S. Attorney Anthony Moscato, Esq. (via e-mail & regular mail)
Victor Sherman, Esq. (via e-mail & regular mail)
Nicholas Kaizer, Esq. (via e-mail & regular mail)

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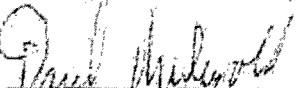
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